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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 MARCELLA VASQUEZ,

No. CIV S-08-1227-CMK

12 Plaintiff,

13 vs.

ORDER

14 COMMISSIONER OF SOCIAL
15 SECURITY,

16 Defendant.
17 _____/

18 Plaintiff, who is proceeding with retained counsel, brings this action for judicial
19 review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g).
20 Pursuant to the court's scheduling order, plaintiff is required to prosecute this action by either
21 seeking voluntary remand or filing a dispositive motion within 45 days from the date of service
22 of the administrative record by defendant. Plaintiff was warned that failure to comply may result
23 in dismissal of this action for lack of prosecution and failure to comply with court rules and
24 orders. See Local Rule 110. A review of the docket reflects that the answer and certified
25 administrative record were served on November 17, 2009, and the deadline to file a dispositive
26 motion was last extended to May 21, 2010. To date, plaintiff has not filed a dispositive motion.

1 Plaintiff shall show cause in writing, within 30 days of the date of this order, why
2 this action should not be dismissed for failure to file a dispositive motion. Plaintiff is again
3 warned that failure to respond to this order may result in dismissal of the action for the reasons
4 outlined above, as well as for failure to prosecute and comply with court rules and orders. See id.

5 IT IS SO ORDERED.

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7 DATED: June 22, 2010

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9 **CRAIG M. KELLISON**
10 UNITED STATES MAGISTRATE JUDGE
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